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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
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9 RAY LEE VAUGHN,

CASE NO. CV-F-01-5241 OWW DLB HC

10 Petitioner,

11 vs.

12 D. ADAMS,

13 Respondent.
14 _____/

15 Petitioner is a state prisoner proceeding pro se with a petition for writ of habeas corpus pursuant
16 to 28 U.S.C. § 2254.

17 Pursuant to the Ninth Circuit's remand, Respondent filed supplemental briefing addressing the
18 procedural default bar on February 24, 2005. Petitioner filed its supplemental brief on August 11, 2005.

19 In his supplemental briefing, Respondent requests that should Petitioner assert specific factual
20 allegations that demonstrate the inadequacy of the Dixon bar, he be granted a reasonable amount of time
21 to respond to such assertions. Respondent's request is GRANTED and within **thirty (30)** days from the
22 date of service of this order, Respondent shall file a response to Petitioner's supplemental briefing filed
23 August 11, 2005.¹

24 IT IS SO ORDERED.

25 **Dated: August 16, 2005**
26 3b142a

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE

27 _____
28 ¹ Respondent is advised that should additional time be needed, such a request shall be filed with the Court.